

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	)	
	)	No. CR-09-059-JLQ
Plaintiff,	)	
	)	ORDER GRANTING IN PART
v.	)	SECOND MOTION TO MODIFY
	)	FURLOUGH REQUIREMENTS
FABIAN VAKSMAN,	)	
	)	-- ACTION REQUIRED --
Defendant.	)	

---

At the July 10, 2009, hearing on Defendant's Second Motion to Modify Furlough Requirements (Ct. Rec. 125), Defendant appeared with Assistant Federal Defender Robert R. Fischer. Assistant U.S. Attorney Tyler Tornabene represented the United States. Both sides argued.

Defense proffered that Mr. Vaksman's last furlough went well, and that taxi cab transportation again could be used. In addition, it will be necessary to have a court order for Spokane County Jail physician Dr. Kennedy to confer with Dr. Cass Ragan as to a medical evaluation.

**IT IS ORDERED** that Defendant's Second Motion to Modify Furlough Requirements (Ct. Rec. 125) is **GRANTED AS FOLLOWS:**

1. As soon as reasonable, Dr. Kennedy shall confer with on-call mental health Dr. Ragan, to permit implementation of a medical evaluation. The conference shall be confirmed by Pretrial Services and the results shall be provided to Pretrial Services. Mr. Vaksman

1 shall execute the proper mutual releases to permit both doctors (and  
2 Pretrial Services) to give, receive and discuss information  
3 regarding Mr. Vaksman.

4 2. A CORD representative, or agent of the Federal Defenders  
5 of Eastern Washington, shall observe and be present throughout a  
6 furlough not to exceed nine (9) hours (Wednesday, July 15, 2009, at  
7 8:00 a.m., to return to the jail no later than 5:00 p.m. on the same  
8 day) to resolve the "out of custody" warrant and make residence  
9 arrangements. Observers shall notify the U.S. Marshal and Pretrial  
10 Services immediately of any failure to comply or anticipated failure  
11 to comply with the court's furlough order. In addition, an  
12 investigator from the Federal Defenders shall be present at Mr.  
13 Vaksman's apartment throughout the time Mr. Vaksman is present at  
14 his apartment. During this nine-hour furlough, if necessary,  
15 Defendant may go to the Bank of Whitman to arrange to pay monies for  
16 warrant resolution and for payment of his personal bills. All  
17 transportation shall be by taxi.

18 3. Defendant is reminded he shall have no contact, direct or  
19 indirect, with the alleged victims. See conditions of release Order  
20 at page 5 (Ct. Rec. 57).

21 DATED July 13, 2009.

22 S/ CYNTHIA IMBROGNO  
23 UNITED STATES MAGISTRATE JUDGE  
24  
25  
26  
27  
28